

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

FÉLIX SANTOS-RÍOS

CIVIL CASE NO. 02-1980 (HL)

Petitioner

[Re: Crim. Case No. 00-110 (HL)]

vs.

UNITED STATES OF AMERICA

Respondent

**NOTICE OF APPEAL OF AMENDED ORDER
BY PETITIONER, FÉLIX SANTOS-RÍOS**

BEFORE THE HONORABLE COURT:

Comes now, Petitioner, FÉLIX SANTOS-RÍOS, through the undersigned counsel and respectfully and respectfully states and prays:

1. Petitioner hereby notifies this Court his intention of filing an appeal to the United States Court of Appeals of the First Circuit from:
 - a. The AMENDED ORDER entered by the District Court on December 9, 2004, modifying the Honorable Magistrate Judge s Report and Recommendation where it VACATES the original sentence and reimposes the same sentence *nunc pro tunc*; Docket #40.
 - b. The ORDER entered by the District Court on December 9, 2004 dismissing the case in its entirety, Docket #40.
 - c. The JUDGMENT IN A CRIMINAL CASE entered on July 20, 2001 to 155 by the District Court.

2. Defendant further states and prays:

1. It has been determined by the Court that defendant is indigent.
2. Defendant believes that he is entitled to redress.
3. An expedite transcript of the Sentencing Hearing held on July 20, 2001 before the Honorable District Judge Héctor Laffitte is essential for the preparation of the appeal.

WHEREFORE, defendant prays that this Court:

- a. Appoint counsel to continue with the appeal on his behalf.
- b. Order the Court stenographer to transcribe all judicial proceedings held at the Sentencing Hearing held on July 20, 2001.
- c. Order that the costs of said transcripts and the appeal be satisfied through Criminal Justice Act funds.
- d. Issue any order this Court may seem applicable to the instant notice.

Respectfully submitted, at San Juan, Puerto Rico, on December 9, 2004.

I certify: On this date, I electronically filed this document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Mr. Marcos E. López, Assistant United States Attorney, FAX 787-771-4050, Torre Chardón Suite 1201, Ave. Carlos Chardón 350, San Juan, Puerto Rico 00918.

I further certify that I sent a copy of this document to Mr. Félix Santos Ríos, Inmate # 18925-069, P. O. Box 2147, San Juan, Puerto Rico 00922-2147.

S/Olga M. Shepard De-Mari

Olga M. Shepard De-Mari

USDCPR 128002

Attorney for **PETITIONER**, Félix Santos-Ríos

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